

Message Text

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ACTION EA-10

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 1850

C O N F I D E N T I A L MANILA 4096

E.O. 11652: GDS

TAGS: PINT, RP

SUBJECT: REINVESTIGATION OF MARCOS ASSASSINATION PLOT

REF: A) MANILA 3847 B) MANILA 3383

BEGIN SUMMARY: PANEL HEADED BY JUDGE ADVOCATE GENERAL WILL BEGIN REINVESTIGATION OF MARCOS ASSASSINATION PLOT APRIL 3. PANEL CHAIRMAN'S STATEMENT THAT PRESIDENT WANTS CASE REINVESTIGATED TO DETERMINE MORE DEFINITELY VARIOUS DEFENDENTS' INVOLVEMENT IN ALLEGED PLOT WOULD PROVIDE OPPORTUNITY FOR MARCOS TO MODIFY OR DROP CHARGES AGAINST LOPEZ, JR. AND PERHAPS OTHER DEFENDENTS AS WELL IF HE SAW ADVANTAGE IN DOING SO. END SUMMARY.

1. ON APRIL 1, THE DEPARTMENT OF NATIONAL DEFENSE ANNOUNCED THAT A FIVE-MAN PANEL HEADED BY THE JUDGE ADVOCATE GENERAL OF THE ARMED FORCES (GEN. SANTOS). WILL OPEN REINVESTIGATION HEARINGS APRIL 3 ON CRIMINAL CHARGES FILED AGAINST SENATOR SERGIO OSMENA, JR. AND AT LEAST 11 OTHERS, INCLUDING EUGENIO LOPEZ, JR., SERGIO OSMENA III, AND AMCIT LEHMAN. ACCORDING TO DND, THE INVESTIGATION IS INTENDED TO REEVALUATE EVIDENCE IN ALLEGED ASSASSINATION PLOT IN ORDER TO DETERMINE: A) WHETHER OFFENSES HAVE BEEN COMMITTED AND IF SO, WHAT IS THEIR NATURE, AND B) WHETHER PERSONS HELD LIABLE ARE PROBABLY GUILTY AND IF SO, WHAT CHARGES SHOULD BE
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FILED AGAINST THEM. FIVE-MAN PANEL WHICH INCLUDES UNDER-

SECRETARY OF JUSTICE (MACARAIG), CHIEF STATE PROSECUTOR (NOCON), QUEZON CITY FISCAL (CORTEZ) AND MANILA FISCAL (GAMBOA) WAS CREATED BY PRESIDENTIAL LETTER OF INSTRUCTION 255 ISSUED MARCH 6, 1975. PRESS REPORTS GENERAL SANTOS STATED PRESIDENT MARCOS WANTED CASE REINVESTIGATED TO ENSURE RESPONDENTS "GOT FULL BENEFITS OF DUE PROCESS" AND "TO DETERMINE MORE DEFINITELY THEIR INVOLVEMENT IN CASE."

2. COMMENT: DAILY EXPRESS OF APRIL 2 HEADLINES ITS FRONT-PAGE ACCOUNT OF INVESTIGATION "GOVERNMENT PANEL TO HEAR RAPS AGAINST OSMENA." PICTURES OF OSMENA AND HIS SON (SERGIO III) APPEAR ON INSIDE PAGES BUT NO PICTURE OF EUGENIO LOPEZ JR. BULLETIN COLUMNIST VALENCIA ON APRIL 2 NOTES THAT HEARINGS ARE "NOT TRIAL BUT MERELY DOCUMENTATION OF CASES AGAINST THE ACCUSED JUST IN CASE THERE WILL BE TRIALS". MARCOS MAY WISH TO DOWNPLAY LOPEZ JR.'S INVOLVEMENT IN ALLEGED PLOT IN VIEW POSSIBLE PSINAKIS VISIT (REFTEL-). GENERAL SANTOS' STATEMENT ABOUT PRESIDENT'S DESIRE DETERMINE MORE DEFINITELY RESPONDENTS' INVOLVEMENT SUGGESTS MARCOS MIGHT WISH OPPORTUNITY TO HAVE COMMISSION DETERMINE LOPEZ JR. (AND POSSIBLY OTHERS) PARTICIPATION MARGINAL; AND RELEASE LOPEZ AFTER HE HAS ASSURANCES LOPEZ FAMILY'S ANTI-MARCOS CAMPAIGN IN US WILL BE TERMINATED.
SULLIVAN

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